IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

Crl.Rev.Pet.No. 839 of 2000

CRL.A.388/1998 OF SESSIONS COURT, THRISSUR.
CC.132/1997 OF JUDL. MAGISTRATE OF FIRST CLASS COURT, CHAVAKKAD,

.....

PETITIONER/ APPELLANT/ ACCUSED:

C.N. ARJUNAN, S/O. CHELAKKAL NARAYANAN,
P.O. BRAHMAKULAM, THAIKKAD.

BY ADV. SRI.N.J.JOHNSON.

RESPONDENTS/ RESPONDENTS/ COMPLAINANT:

1. **MANIKANDAN, S/O. VELAYUDHAN,**
   VETTAMPARAMBIL HOUSE, KANDANASSERY VILLAGE,
   THALAPPILLY TALUK.

2. **STATE OF KERALA, REPRESENTED BY**
   PUBLIC PROSECUTOR, HIGH COURT,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. C.K. SURESH.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 25/10/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P. NO. 4450/2000 IN CRL.R.P. NO. 839/2000-C

DISMISSED

25/10/2007. **SD/- K.R.UDAYABHANU, JUDGE.**

//TRUE COPY//

prv.

K.R. UDAYABHANU, J.

CRL.R.P.NO. 839 OF 2000

DATED THIS THE25th October 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three days and to pay a compensation of Rs.38500/- and in default to undergo simple imprisonment for two months. It is further directed that out of the amount realised, Rs.36000/- shall be paid to the complainant and Rs.2500/- credited to the State. Counsel for the revision petitioner has only sought for modification of sentence and time to remit the amount.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.36,000/- to the complainant and in default to undergo simple imprisonment for two months. The revision petitioner is granted three months time to remit the amount of compensation. The amount if any in deposit before the court below can be withdrawn by the revision petitioner or adjusted

towards the amount due to the complainant. He shall appear before the Judicial First Class Magistrate, Chavakkad on 25-1-2008 to receive sentence. The Crl. revision petition is disposed of accordingly.

ks. **K.R.UDAYABHANU, JUDGE**

K.R.UDAYABHANU, J

CRL.R.P. NO. 839 of 2000

ORDER

25-10-2007